

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **05. 05. 2005**

Applicant's or agent's file reference

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/RU2005/000035

International filing date (day/month/year)

03. 02. 2005

Priority date (day/month/year)

30. 06. 2004

International Patent Classification (IPC) or both national classification and IPC

A47C1/02, B60N2/24, A63B23/12

Applicant

SOLODOVNIKOV, Vladimir Alexandrovich

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/RU

Authorized officer

Facsimile No.

Telephone No.

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Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. IV Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has:
- ☐ paid additional fees
 - ☐ paid additional fees under protest
 - ☐ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:

The present international application discloses inventions according to claims 1, 12 which are not so linked as to form a single inventive concept and do not have similar or corresponding special technical features making a contribution to the prior art. In claim 1, the special technical feature consists in disposing means for the physical warmup of the arms in a hollow armrest, which means are in the form of an autonomous module, whose fixing joints have two stages of freedom. In the device according to claim 12, the special technical feature consists in means for the physical warmup of the arms, additionally equipped with a device for creating a linear force, which device is disposed within the hollow swivelling force lever.

4. Consequently, this opinion has been established in respect of the following parts of the international application:
- ☐ all parts
 - ☐ the parts relating to claims Nos. _____

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-18</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims <u>1-18</u>	YES
	Claims _____	NO
Industrial applicability (IA)	Claims <u>1-18</u>	YES
	Claims _____	NO

2. Citations and explanations:

Sources of information:

D1 - US 5755650,
D2 - US 5470298,
D3 - US 5234394,
D4 - US 5090694.

The prior art closest to the claimed invention according to claim 1 is D1.

D1 has disclosed a chair with two means for the physical warmup of the arms in the sitting position, in which each means has a device for linear force with a handgrip on a rod, a device for creating a swivelling force with a force lever, which is connected to a pneumatic loading device, and a system for regulating the force on the handgrips.

Claim 1 differs from D1 by virtue of the fact that each means for the physical warmup of the arms is in the form of an autonomous module, which is disposed in a hollow armrest. The front and rear joints for fixing the means to the chair are formed with two stages of freedom, which makes it possible for each module to rotate in two

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mutually perpendicular planes whilst being fixed in the neutral and working positions, which increases the functional possibilities of the chair and increases comfort owing to the increase in the turning angle of the means during warmup of the arms.

D2-D4 disclose chairs which comprise means for the physical warmup of the arms in the sitting position, but in none of these is each means autonomous, thereby making it possible to use, if necessary, one of the means or to use each means with its own control regime, which decreases the functional possibilities of the chair and decreases its level of comfort.

The prior art (D2-D4) does not disclose the distinguishing features of claim 1, which makes it possible to conclude that claim 1 and dependent claims 2-11 satisfy the criteria of novelty and inventive step..

The prior art closest to the subject matter according to claim 12 is D2.

D2 discloses means for the physical warmup of the arms in the sitting position, comprising a force-type construction, on which a piston-type pneumatic loading device and a swivelling force lever are fixed, which swivelling force lever is connected to the rod of the piston cylinder by means of kinematic transfer.

Claim 12 differs from D2 by virtue of the fact that the means are additionally equipped with a device for creating a linear force, which is disposed within the

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hollow swivelling force lever, which increases the functional and use possibilities of the means and, in the process, does not lead to its dimensions being enlarged.

The prior art (D1, D3-D4) discloses different variants of the means for the physical warmup of the arms in the sitting position, but in none of these documents does the means allow for a sufficient variety of movement of the arms of the user and have broad functional and use possibilities.

The prior art (D1, D3-D4) does not disclose the distinguishing features of claim 12, which makes it possible to draw the conclusion that claim 12 and dependent claims 13-18 satisfy the criteria of novelty and inventive step.

Claims 1-18 satisfy the criterion of industrial applicability.